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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,277	07/25/2000	M. Todd Schomer	005156.00004	6790
22907 7590 08/17/2007 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER RIES, LAURIE ANNE	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 08/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/625,277

Applicant(s)

SCHOMER, M. TODD

Examiner

Laurie Ries

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination, filed 5 July 2007, to the Original Application, filed 25 July 2000.
2. The rejection of claims 1-8 under 35 U.S.C. 102(e) as being anticipated by Kim (Patent # 6,330,577) has been withdrawn as necessitated by amendment and newly found prior art.
3. The rejection of claims 9-15 under 35 U.S.C. 103(a) as being unpatentable over Kim (Patent # 6,330,577) has been withdrawn as necessitated by amendment and newly found prior art.
4. Claims 1-15 and 18-24 are pending. Applicant has added claims 18-24. Applicant has cancelled claims 16-17. Claims 1 and 9 are independent claims.

***Request for Continued Examination***

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 December 2006 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-15 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (Patent # 6,330,577) in view of Teshima (U.S. Patent 6,687,879 B1).

**As per independent claim 1**, Kim teaches a method for previewing fonts on a computer in a font preview application including displaying text in a first font format in

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the font preview display area (See Kim, Figure 8, element 660 and Figure 7, element 743), where the text includes plural characters in a first order, such as "ABCabc123" (See Kim, Column 4, lines 31-34).

Kim does not teach expressly concurrently displaying the same text, including the same plural characters in the first order, in a second font format differing from the first font format in the font preview display area. Teshima teaches displaying characters in a specific order in two distinct font types in a font display area (See Teshima, Figure 30, and Column 14, lines 46-49).

Kim and Teshima are analogous art because they are from the same field of endeavor of displaying data in various types of fonts.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of a second font format of Teshima with the display of font formats of Kim. The motivation for doing so would have been to allow a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font type (See Teshima, Column 1, lines 24-32). Therefore, it would have been obvious to combine Teshima with Kim for the benefit of allowing a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font to obtain the invention as specified in claim 1.

**As per dependent claim 2**, Kim and Teshima teach the limitations of claim 1 as described above. Kim also teaches that the text is displayed in a paragraph display format (See Kim, Figure 8, element 660).

**As per dependent claim 3**, Kim and Teshima teach the limitations of claim 1 as described above. Kim also teaches that the text is displayed in alphanumeric order (See Kim, Column 2, lines 42-55).

**As per dependent claim 4**, Kim and Teshima teach the limitations of claim 1 as described above. Kim also teaches that the steps of displaying the text include displaying the text in response to a real time input (See Kim, Figure 7a, element s730, Figure 8, element 630, and Column 5, lines 11-15).

**As per dependent claim 5**, Kim and Teshima teach the limitations of claim 1 as described above. Teshima also teaches that the first font format differs from the second font format in that the first font format includes a different font type as compared to the second font format (See Teshima, Figure 30, and Column 14, lines 46-49). Kim and Teshima are analogous art because they are from the same field of endeavor of displaying data in various types of fonts. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of a second font format of Teshima with the display of font formats of Kim. The motivation for doing so would have been to allow a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font type (See Teshima, Column 1, lines 24-32). Therefore, it would have been obvious to combine Teshima with Kim for the benefit of allowing a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font to obtain the invention as specified in claim 5.

**As per dependent claim 6**, Kim and Teshima teach the limitations of claim 1 as described above. Kim also teaches that the first font format differs from the second font format in use of different font sizes (See Kim, Figure 8, element 840).

**As per dependent claim 7**, Kim and Teshima teach the limitations of claim 1 as described above. Kim also teaches that the text is displayed in a waterfall display format (See Kim, Figure 8, elements, 830, 840 and 810).

**As per dependent claim 8**, Kim and Teshima teach the limitations of claim 1 as described above. Kim also teaches that the first font format and the second font format are part of a predefined font group (See Kim, Figure 8, element 630).

**As per independent claim 9**, Kim teaches in a computer system having a graphical user interface including a display and a user interface selection device, a method of providing and selecting from the display including receiving a selection of at least a first font (See Kim, Figure 8, element 830).

Kim also teaches displaying text in a first font format in the font preview display area (See Kim, Figure 8, element 660 and Figure 7, element 743), where the text includes plural characters in a first order, such as "ABCabc123" (See Kim, Column 4, lines 31-34).

Kim does not teach expressly receiving a selection of at least a second font and concurrently displaying the same text, including the same plural characters in the first order, in a second font format differing from the first font format in the font preview display area. Teshima teaches displaying characters in a specific order in two distinct font types in a font display area (See Teshima, Figure 30, and Column 14, lines 46-49).

Kim and Teshima are analogous art because they are from the same field of endeavor of displaying data in various types of fonts.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of a second font format of Teshima with the display of font formats of Kim. The motivation for doing so would have been to allow a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font type (See Teshima, Column 1, lines 24-32). Therefore, it would have been obvious to combine Teshima with Kim for the benefit of allowing a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font to obtain the invention as specified in claim 9.

**As per dependent claim 10**, Kim and Teshima teach the limitations of claim 9 as described above. Kim also teaches receiving text input (See Kim, Figure 7a, element s730, Figure 8, element 630, and Column 5, lines 11-15). Teshima also teaches that the displaying includes concurrently displaying the text input in the first and second fonts in the font preview area in real time (See Teshima, Figure 30, and Column 14, lines 46-49). Kim and Teshima are analogous art because they are from the same field of endeavor of displaying data in various types of fonts. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of a second font format of Teshima with the display of font formats of Kim. The motivation for doing so would have been to allow a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font type (See Teshima, Column 1, lines 24-32). Therefore, it would have been obvious to



combine Teshima with Kim for the benefit of allowing a user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed font to obtain the invention as specified in claim 10.

**As per dependent claim 11**, Kim and Teshima teach the limitations of claim 9 as described above. Kim also teaches that the fonts are from one predefined font group (See Kim, Figure 8, element 630).

**As per dependent claim 12**, Kim and Teshima teach the limitations of claim 9 as described above. Kim also teaches that the fonts are different forms of the same font, such as "Arial Black", "Arial Narrow", and "Arial Garde" (See Kim, Figure 8, element 630).

**As per dependent claim 13**, Kim and Teshima teach the limitations of claim 9 as described above. Kim also teaches receiving a selection of a font size and displaying the text in the fonts in the font size in the font preview area in real time (See Kim, Figure 8, element 840).

**As per dependent claim 14**, Kim and Teshima teach the limitations of claim 9 as described above. Kim also teaches displaying the text in the fonts in plural font sizes in the font preview area (See Kim, Figure 8, element 660).

**As per dependent claim 15**, Kim and Teshima teach the limitations of claim 9 as described above. Kim also teaches generating a print output including the text as displayed in the fonts in the font preview area (See Kim, Figure 3).

**As per dependent claim 18**, Kim and Teshima teach the limitations of claim 1 as described above. Teshima also teaches that the text displayed in the first font format

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and the second font format includes the same text in a single language (See Teshima, Figure 30). Kim and Teshima are analogous art because they are from the same field of endeavor of displaying data in various types of fonts. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of multiple font types including the same text in a single language of Teshima with the font preview method of Kim and Teshima. The motivation for doing so would have been to allow the user to compare similar characters to better determine the difference in appearance of the similar characters in various types of font outputs. Therefore, it would have been obvious to combine Teshima with Kim and Teshima for the benefit of allowing the user to compare similar characters to better determine the difference in appearance of the similar characters in various types of font outputs to obtain the invention as specified in claim 18.

**As per dependent claim 19**, Kim and Teshima teach the limitations of claim 1 as described above. While Kim and Teshima do not teach expressly displaying a third font format in a text display area, it was well known in the art at the time of the invention that multiple display preview windows may be coded in order to display any number of fonts in a preview window, providing the benefit of allowing the user to compare and contrast multiple font types without having to remember the look and feel of the previously viewed fonts.

**As per dependent claim 20**, Kim and Teshima teach the limitations of claim 19 as described above. Claim 20 additionally incorporates substantially similar subject

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matter as that of claim 5 above, and is additionally rejected along the same rationale as used in the rejection of claim 5.

**As per dependent claim 21**, Kim and Teshima teach the limitations of claim 19 as described above. Claim 21 additionally incorporates substantially similar subject matter as that of claim 6 above, and is additionally rejected along the same rationale as used in the rejection of claim 6.

**As per dependent claim 22**, Kim and Teshima teach the limitations of claim 19 as described above. Claim 22 additionally incorporates substantially similar subject matter as that of claim 8 above, and is additionally rejected along the same rationale as used in the rejection of claim 8.

**As per dependent claim 23**, Kim and Teshima teach the limitations of claim 9 as described above. Claim 23 additionally incorporates substantially similar subject matter as that of claim 18 above, and is additionally rejected along the same rationale as used in the rejection of claim 18.

**As per dependent claim 24**, Kim and Teshima teach the limitations of claim 9 as described above. Claim 24 additionally incorporates substantially similar subject matter as that of claim 9 above, and is additionally rejected along the same rationale as used in the rejection of claim 9.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-15 and 18-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton, can be reached at (571) 272-4137.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 2176